

MEMORANDUM FOR:

SUBJECT : Change in Fair Labor Standards Act (FLSA) Status
of Positions and Personnel in Your Component

1. Agency employees' status as exempt or nonexempt from the overtime provisions of the Fair Labor Standards Act (FLSA) was initially determined based on the employees' occupational code and grade level. A recent change in criteria requires that FLSA status be based on actual duties performed by employees thereby making the current method inapplicable. To determine whether Agency positions and personnel are correctly designated under the revised criteria, PMCD is in the process of reviewing the duties contained in each employee's position. Our initial review indicates that a number of positions and employees require redesignation.

2. In order to effect these changes as they occur, we are providing you a listing (attached) of those employees on whom action will need to be taken. You are requested to process Requests for Personnel Action, Forms 1152 and Forms 3804, to change each employee's title as shown under the New Title and Code column on the attached listing. The actions are to be processed effective A Form 261, Staffing Complement Change Authorization, will be processed by PMCD to change position titles on the Staffing Complement accordingly.

3. The processing of personnel actions will produce a notification to employees that his FLSA status has been changed as of the effective date of the action. All of the personnel shown on the attached listing have retroactive FLSA status. PMCD will notify the Office of Finance with appropriate data in order for that Office to determine if employees are entitled to additional overtime pay under FLSA. Notification will also be provided employees on their retroactive status.

4. Upon completion of the personnel action processing, please return the attached listing to OP/PMCD, 625 C of C Building and indicate under the Remarks column that the processing has been completed. If an employee is no longer slotted in the position indicated, please note and do not process an action. It is planned that further FLSA instructions will be issued in the near future.

5. Any questions regarding the attached listing should be directed to the Position Management Officer shown on the listing.

[Redacted Signature]

Chief

Position Management and Compensation Division

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Att

Form 261 for FLSA Changes

Review attached memo and listing. The memo will be sent to the component Personnel Officer requesting that personnel actions be processed to change employee position titles and codes. By changing their titles and codes their FLSA status will change. If you agree with the changes on the listing return it along with a drafted Form 261 for each Office to change position titles accordingly. If you do not agree, please see me. You will get a copy of the memo back along with your original listing after it has been signed. Once the personnel actions have been processed by the Personnel Officer the listing will be returned to PMCD. As they are returned please forward them to me.

On a temporary basis the Suffix column on the S/C will be used to indicate that positions have been reviewed and FLSA status determined. On the Form 261 place an E (Exempt) or N (Nonexempt) in the suffix column for each position. If the position status differs from the incumbent status note this on the Form 261 under the position. If the position already has a suffix, e.g., Sup, Ch, replace it with an E or N and note the suffix in order that it may be added at a later date.

Most position title changes are to be made as shown on the position numbers listed on the typed listing. If the position is a professional position title with a clerical incumbent do not change the title. If the incumbent is a professional in a clerical position change the position title.

Also, there may be positions to be changed on your original listing that are not included on the listing to be sent to Personnel Officers. If a position change is required it will be indicated by a red circled 261 mark.

If supervisory positions were reviewed and their status did not change and they were not included on your listing please list them on the Form 261 and add an E or N to the suffix column for these positions.

Indicate under position titles being changed the former position title and code, name of present incumbent and change in FLSA status.

Citation on Form 261: In compliance with revised FLSA criteria as contained in FPM Letter 551-7 dated July 1, 1975 positions listed on this Form 261 have been reviewed. Position titles are changed to redesignate employees' FLSA status and/or to indicate that positions have been reviewed. Upon implementation of a new FLSA system some titles will be changed back to former title and designators in the Suffix column will be deleted.

Return drafted Form 261 and memo to me by 21 January 1976.

Joyce

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